

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

REGINALD BYRD,	:	CIVIL ACTION
Plaintiff,	:	
	:	
v.	:	
	:	
LOUIS FOLINO,	:	
Defendant.	:	NO. 12-451

ORDER

AND NOW, this 9th day of February 2012, upon consideration of the Application to Proceed Without Prepaying Fees or Costs, the Complaint, and the “Motion for Rule 60(b) Relief,” and for the reasons stated in the accompanying Memorandum Opinion, **it is hereby ORDERED** that:

1. The Application to Proceed Without Prepaying Fees or Costs is **GRANTED**.
2. The Complaint is **DISMISSED WITH PREJUDICE** pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii).
3. The “Motion for Rule 60(b) Relief” is **DENIED**.
4. The Clerk is directed to **CLOSE** the case.

It is so **ORDERED**.

BY THE COURT:

/s/ Cynthia M. Rufe

CYNTHIA M. RUFÉ, J.